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EXAMINER	
LONSBERRY, HUNTER B	
ART UNIT	PAPER NUMBER
2623	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/706,055	WATSON, SCOTT	
	Examiner	Art Unit	
	Hunter B. Lonsberry	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 February 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 2/5/07 have been fully considered but they are not persuasive.

Applicant argues that Ullman does not teach the use of a code fragment, that Applicant's specification teaches that a URL may not be a code fragment, and that the combination of Ullman and England fails to teach locally modifying the document in an exclusively local interaction (pages 8-11).

The Examiner disagrees. Ullman teaches code fragments (webpages received at the user's device) which are parsed, interpreted and displayed on the user's display device. England is relied upon to teach the use of applets (chat, whiteboards, etc), which modify content locally and do not modify the webpage which resides on the server itself, instead, each webpage is modified locally. Thus the combination of Ullman and England teaches each and every element of the claims.

Applicant's failure to properly traverse the official notice taken in the previous action is taken as admission of prior art.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 2, 4-12, and 21-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,018,768 to Ullman in view of U.S. Patent 6,144,991 to England.

Regarding claim 1, Ullman discloses an enhanced broadcasting system for presenting audio or video broadcasts and related enhancements (figure 4), the system comprising:

a receiver for receiving an audio and video broadcast signal (column 9, lines 11-13);

a first display unit 114, connected to the receiver, for displaying content of the audio and video broadcast signal (column 9, lines 5-8);

a code fragment including at least one instruction correlated to the content of the audio and video broadcast signal (column 8, lines 22-30, the instruction, the received webpage, inherently contains instructions detailing how the page is to be presented and the contents of the page itself which need to be interpreted for display)

a computer 16 configured for receiving a code fragment (column 6, lines 56-65) ;

the computer executing software (software 106 and Java enabled browser 98) for interpreting the instruction of the code fragment and correlating the code fragment to the audio and video broadcast signal with respect to time (column 7, lines 35-53).

a second display unit 18 (figure 1), connected to the computer, which is updated based upon the interpreted code fragment (column 7, lines 46-53, figure 3, the webpage is retrieved and displayed according to time codes stored within the webpage).

Ullman inherently includes a storage medium associated with the computer that stores a document as Ullman teaches retrieving and displaying webpages from the Internet on PC 16 (column 8, lines 10-57), and storage of some kind is required in order for a browser to interpret and display the webpages.

Ullman fails to teach locally modifying the document based on the interpreted instructions in an exclusively local interaction, and displaying the document at a first time and subsequent modification to the document at a second time.

England discloses a browser (figures 9-10) which features a number of collaborative tools and various frames and implemented by an applet, a user may participate in a discussion, recorded lecture, or may be intercasted content which runs simultaneous to a television broadcast (column 13, lines 44-46). An initial webpage (document) is presented to a user, and the webpage may be modified by changing the content displayed within the frames, or by modifying the content displayed within a chat window or whiteboard (column 14, lines 16-29) thus modifying the document at a later time. Further, the content of the document is modified locally (the content controlled in the applet/whiteboard/chat) and the webpage stored on the server itself is not modified.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the browser of Ullman to utilize the document editing, chat and other collaborative features as taught by England for the advantages of enabling user to share opinions with other users and learn more about a subject.

Regarding claim 2, Ullman discloses that the webpages are time stamped for display (column 8, lines 22-27). Ullman inherently utilizes an application clock on the computer, which is synchronized to a house clock, because the clocks must be synchronized in order to properly display the time stamped webpages.

Regarding claims 4, 8, and 25, Ullman discloses the use of a Java enabled browser 98 (column 7, lines 44-53), which utilizes code fragments, which have been transmitted to the user (URLs).

Ullman does not disclose the use of JavaScript code fragment.

The examiner takes official notice that utilizing JavaScript applets are notoriously well known in the art. JavaScript is used to create interactive webpages and interacts with HTML source code, enabling Web authors to spice up their sites with dynamic content.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify Ullman and England to utilize JavaScript to create more interactive and atheistically pleasing web content.

Regarding claims 5 and 26, Ullman discloses that the code fragment is delivered via Internet 20 (column 7, lines 45-53).

Regarding claims 6 and 27, Ullman discloses that the communications network is the Internet 20 (column 7, lines 37-41)

Regarding claim 7, Ullman discloses an enhancement for the content of an audio and video broadcast, the enhancement comprising:

a code fragment including at least one instruction correlated to the content of the audio and video broadcast and a time stamp such that updating of a screen displayed is based upon interpretation of the instruction of the code fragment and is chronologically synchronized to receipt of the broadcast (column 7, lines 34-53, column 8, lines 7-30, , the instruction, the received webpage, inherently contains instructions detailing how the page is to be presented and the contents of the page itself which need to be interpreted for display which is correlated to the onscreen video content, figure 3, the webpage includes a timestamp).

Ullman fails to teach locally modifying the document based on the interpreted instructions in an exclusively local interaction.

England discloses a browser (figures 9-10) which features a number of collaborative tools and various frames and implemented by an applet, a user may participate in a discussion, recorded lecture, or may be intercasted content which runs simultaneous to a television broadcast (column 13, lines 44-46). An initial webpage

(document) is presented to a user, and the webpage may be modified by changing the content displayed within the frames, or by modifying the content displayed within a chat window or whiteboard (column 14, lines 16-29) thus modifying the document at a later time. Further, the content of the document is modified locally (the content controlled in the applet/whiteboard/chat) and the webpage stored on the server itself is not modified.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the browser of Ullman to utilize the document editing, chat and other collaborative features as taught by England for the advantages of enabling user to share opinions with other users and learn more about a subject.

Regarding claim 9, Ullman discloses a method for providing enhanced television broadcasting, the method comprising:

selecting a common time for a synchronized presentation of an audio and video signal and a related enhancement (column 6, lines 7-49), the related enhancement including an instruction (column 7, lines 45-column 8, line 14, client software 106 in conjunction with a java enabled browser interprets each URL and then fetches the corresponding content, further each URL is an instruction as it informs the browser which protocol to utilize to retrieve the content, HTTP, FTP etc) ;

broadcasting the audio and video signal for receipt by a broadcast receiver (column 9, lines 7-13);

sending the related enhancement from a computer server over a network for receipt by a client computer (column 9, lines 7-16;

displaying the audio and video signal on a first display screen 114 at the common time (column 9, lines 5-21);

interpreting at least one instruction included with the related enhancement which instruction is correlated to the content of the audio and video signal (column 7, lines 34-53, column 8, lines 7-30, column 9, lines 17-18 , the instruction, the instruction, the received webpage, inherently contains instructions detailing how the page is to be presented and the contents of the page itself which need to be interpreted for display, figure 3, the webpage that includes a timestamp); and

displaying a screen display, which is updated based upon the interpreted instruction on a second display screen 18 at the common time (column 8, lines 7-30, column 9, lines 5-21, URL is interpreted which results in retrieving a webpage that includes a timestamp).

Ullman inherently includes a storage medium associated with the computer that stores a document as Ullman teaches retrieving and displaying webpages from the Internet on PC 16 (column 8, lines 10-57), and storage of some kind is required in order for a browser to interpret and display the webpages.

Ullman fails to teach locally modifying the document based on the interpreted instructions in an exclusively local interaction, and displaying the document at a first time and subsequent modification to the document at a second time.

England discloses a browser (figures 9-10) which features a number of collaborative tools and various frames and implemented by an applet, a user may participate in a discussion, recorded lecture, or may be intercasted content which runs simultaneous to a television broadcast (column 13, lines 44-46). An initial webpage (document) is presented to a user, and the webpage may be modified by changing the content displayed within the frames, or by modifying the content displayed within a chat window or whiteboard (column 14, lines 16-29) thus modifying the document at a later time. Further, the content of the document is modified locally (the content controlled in the applet/whiteboard/chat) and the webpage stored on the server itself is not modified.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the browser of Ullman to utilize the document editing, chat and other collaborative features as taught by England for the advantages of enabling user to share opinions with other users and learn more about a subject.

Regarding claims 10 and 11, Ullman discloses that the related enhancement is a code fragment, which includes a timestamp (column 6, lines 37-49, the first portion of the URL instructs the browser of which protocol to utilize).

Regarding claim 12, Ullman discloses a first display unit 114, connected to the receiver, for displaying content of the audio and video broadcast signal (column 9, lines 5-8), a second display unit 18 (figure 1), connected to the computer.

Regarding claims 21-22, Ullman discloses the use of authoring software to generate the code fragment instructions which are correlated to the content of the audio and video broadcast signal, and may be generated during a live event (column 10, lines 33-50).

Regarding claim 23, Ullman discloses that URLs may be transmitted via the Internet via client software 106 (column 7, lines 13-30, 57-63) from a server 90 (column 6, lines 56-65).

Regarding claim 24, Ullman discloses an enhanced broadcasting system for presenting audio or video broadcasts and related enhancements (figure 4), the system comprising:

a receiver for receiving an audio and video broadcast signal (column 9, lines 11-13);

a first display unit 114, connected to the receiver, for displaying content of the audio and video broadcast signal (column 9, lines 5-8);

a computer 16 configured for receiving a code fragment (column 6, lines 56-65,) and execute at least one instruction in code fragment , the code fragment correlated to the content of the audio and video broadcast signal (column 8, lines 22-30, the instruction, the received webpage, inherently contains instructions detailing how the page is to be presented and the contents of the page itself which need to be interpreted for display)

a second display unit 18 (figure 1), connected to the computer, which is updated based upon the interpreted code fragment (column 7, lines 46-53, figure 3, the webpage is retrieved and displayed according to time codes stored within the webpage).

Ullman inherently includes a storage medium associated with the computer that stores a document as Ullman teaches retrieving and displaying webpages from the Internet on PC 16 (column 8, lines 10-57), and storage of some kind is required in order for a browser to interpret and display the webpages.

Ullman fails to teach locally modifying the document based on the interpreted instructions in an exclusively local interaction, and displaying the document at a first time and subsequent modification to the document at a second time.

England discloses a browser (figures 9-10) which features a number of collaborative tools and various frames and implemented by an applet, a user may participate in a discussion, recorded lecture, or may be intercasted content which runs simultaneous to a television broadcast (column 13, lines 44-46). An initial webpage (document) is presented to a user, and the webpage may be modified by changing the content displayed within the frames, or by modifying the content displayed within a chat window or whiteboard (column 14, lines 16-29) thus modifying the document at a later time. Further, the content of the document is modified locally (the content controlled in the applet/whiteboard/chat) and the webpage stored on the server itself is not modified.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the browser of Ullman to utilize the document editing, chat and other

collaborative features as taught by England for the advantages of enabling user to share opinions with other users and learn more about a subject.

Regarding claim 28, Ullman discloses that a user utilizes a second display unit (PC 16) to view the webpages (column 8, lines 22-56). Ullman's inherently includes an input device to receive an input from the user, as Ullman discloses that the user may utilize a control panel displayed on screen to go back and retrieve particularly informative or interesting webpages (column 8, lines 27-40) and an input device is required in order to translate a users physical actions into computer readable input.

Regarding claim 29, Ullman discloses that a user may browse a broadcasters website, scroll to an interesting story, click on a hyperlink and tune to the broadcasters television channel to view the second broadcasting signal (column 9, lines 4-28).

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,018,768 to Ullman in view of U.S. Patent 6,144,991 to England in further view of U.S. Patent 6,173,317 to Chaddha.

Regarding claim 3, Ullman discloses the use of a JAVA enabled browser 98 (column 7, lines 44-53).

Ullman and England does not disclose that the software application is an applet.

Chaddha discloses a system in which supplemental content synchronized to a video stream and includes applets that enhance the content (figures 6, 8a, 9, column 7, line 60-column 8, line 13).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Ullman and England to utilize the applets of Chaddha, thus enabling a content author to further customize transmitted web data via applets.

4. Claims 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,018,768 to Ullman in view of U.S. Patent 6,144,991 to England in further view of U.S. Patent 6,340,159 to Giangrante.

Regarding claim 13, Ullman discloses receiving an input from the user of client computer and utilizing software to analyze it (column 8, 33-40).

The combination of Ullman and England fails to disclose assigning points to the user according to their analyzed input such that the user accumulates an earned score.

Giangrante discloses an interactive game show, in which user may play the game at home on a PC (column 6, lines 29-38, column 9, lines 1-20) while simultaneously receiving the game show on their TV, users attempt to answer clues, their inputs are then analyzed (column 9, lines 7-15), and they accumulate a score (column 7, lines 10-64).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Ullman and England to enable a user to play a

game by assigning points by analyzing user inputs and accumulating a score, as taught by Giangrante, thus increasing viewer ship by enabling viewers to interact with the game that they have a stake in.

Regarding claim 14, the combination of Ullman and Giangrante discloses a video game synced with a TV broadcast in which a user may earn points.

The combination of Ullman, England and Giangrante do not disclose delivering to a particular user earned scores of each of a plurality of users, organizing the delivered scores according to their values and displaying the organized earned scores by a particular user.

The examiner takes official notice that delivering scores ranked by value for display to a user is notoriously well known in the art. Displaying ranked scores to a user allows a user to easily tell who is winning and loosing a game.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Ullman and Giangrante to deliver to a particular user ranked scores of a plurality of users for display, thus enabling the user to readily recognize their own progress in the game and compare it to the scores of others.

Regarding claim 15, Ullman and Giangrante disclose a video game synced with a TV broadcast in which a user may earn points.

The combination of Ullman, England and Giangrante do not disclose enabling a user to select a plurality of users and displaying their scores.

The examiner takes official notice that enabling a user to select a group of users and having their scores displayed is notoriously well known in the art. For example, the Gamespy software client (http://www.gamespy3d.com/using/smart.shtml) displays a number of ongoing games, a user may view a list of games, and select a game, the player ID's and their scores are then displayed to the requesting user, enabling a user to choose a game based on how proficient their opponents are.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the combination of Ullman, England and Giangrante to enable a user to select a group of users and displaying their scores, thus enabling to choose a game based on how skilled the opponents would be.

Regarding claim 16, Ullman and Giangrante disclose a video game synced with a TV broadcast in which a user may earn points.

The combination of Ullman, England and Giangrante do not disclose delivering a plurality of scores to a user in response to the user joining a group.

The examiner takes official notice that delivering the scores of other players to a newly joined player is notoriously well known in the art. For example, in the networked online game "Quake" a user may join a game in progress at any time, upon joining scores and XYZ coordinates of the other players are delivered to a user, and a user may then press a key in order to display the scores of other players at a time of their choosing (http://www.neoreality.com/crew/stuff/pic-action-quake2.htm).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Ullman, England and Giangrante to deliver to a particular user ranked scores of a plurality of users upon joining, thus enabling the user to readily recognize their own progress in the game and compare it to the scores of others.

Regarding claims 17-20, Ullman and Giangrante disclose a video game synced with a TV broadcast in which a user may earn points.

Ullman and Giangrante do not disclose the use of a group name and password, which are stored on a server, and may be provided to a server by a requesting user who wants access to a game, and then providing the scores to the requesting user in a ranked fashion.

The examiner takes official notice that utilizing a login and password for access to an online game, and then transmitting ranked scores to a user is notoriously well known in the art (for example, Microsoft's http://www.zone.com). Utilizing login information and passwords enables games to be restricted to a selected group of users, thus preventing unwanted users from playing a game, and transmitting ranked scores on a leaderboard (http://www.neoreality.com/crew/stuff/pic-action-quake2.htm) enables a user to easily compare their own scores to the scores of others.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the combination of Ullman, England and Giangrante, to utilize a group name and password which is stored on a server, comparing them to group name

and password information provided by a user desiring to join a game, and if they match then enabling a user to join the game and transmitting ranked stores, thus preventing unwanted users from playing a game, and transmitting ranked scores on a leaderboard enables a user to easily compare their own scores to the scores of others.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HBL

Hunter B. Lonsberry
Patent Examiner
Art Unit 2623